

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

GABRIEL FRANCISCO FEDERO MENA,

Defendant.

22-CR-469-001 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On December 19, 2022, defendant Gabriel Francisco Federo Mena was sentenced principally to a term of imprisonment of 72 months. Dkt. 21.

On April 15, 2024, Mena filed a *pro se* motion requesting that the Court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline, which went into effect on November 1, 2023 and applies retroactively. Dkt. 25 (docketed April 19, 2024). The United States Probation Department has issued a report indicating that Mena is not eligible for a sentence reduction. Dkt. 26.

The Court has considered the record in this case, and the submissions on this motion of the defendant, Dkt. 25, and the Probation Department, Dkt. 26.

The Court finds that Mena is ineligible for a reduction of sentence because, as explained by the Probation Department, he does not meet either of the eligibility criteria of Amendment 821. The Court therefore denies Mena's motion.

The Clerk of Court is requested to terminate the motion at Dkt. 25 and to mail a copy of this order to Mena at the below address:

Gabriel Francisco Federo-Mena #88632-509
F.C.I. Fort Dix
P.O. Box 2000
Fort Dix, NJ 08640

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: June 20, 2024
New York, New York